

## **DOB ISSUES MONTHLY ENFORCEMENT BULLETIN**

### ***Report Highlights DOB Enforcement Outcomes from July 2022 to Deter Bad Actors and Keep New Yorkers Safe***

**New York, NY** – Today, the New York City Department of Buildings released its enforcement bulletin for July 2022, which provides highlights of the agency’s actions to sanction and deter bad actors in the construction industry through the enforcement of safety laws and codes of conduct. Today’s bulletin includes summaries of DOB-imposed disciplinary actions, including penalties, license suspensions and revocations.

The actions below represent a portion of DOB’s overall work to enforce the City’s building codes and safety laws, in addition to the thousands of inspections conducted and violations issued by the agency each month for illegal building and construction conditions.

DOB completed a number of major enforcement actions in July, including:

- 17 violations and \$450,000 in penalties, including daily penalties, issued for illegal building alterations at two locations.
- 15 violations and \$150,000 in penalties issued for failure to safeguard construction sites on 15 separate occasions.
- Four violations and \$40,000 in penalties issued to four different individuals for the failure to carry out the duties of a construction superintendent.
- Four violations and \$56,250 in penalties, including daily penalties, issued for illegal transient use at one location.

Below are individual enforcement highlights for July 2022:

### **Bronx**

- \$306,250 in total penalties issued to Highlight Homes LLC, the owners of 1750 Topping Avenue, Bronx, for illegally converting the existing three-family building, into an eight-family dwelling with unpermitted Single Room Occupancies (SRO) constructed on the first floor and in the basement. DOB inspectors found that the staircase walls were deteriorating, and that tenants in the building were not provided with adequate egress in the event of an emergency. Additional penalties were issued to the property owner for their continued non-compliance with DOB orders to correct the dangerous conditions.

- \$123,750 in total penalties issued to Chana Eisner, the owner of 2309 Creston Avenue, Bronx, for illegally converting the existing two-family house into an illegal 7-family dwelling, with the addition of five illegal Single Room Occupancies (SRO), and an illegal apartment in the cellar. DOB inspectors found significant unpermitted construction work performed in the building, and the rear exit of the building chained closed with a lock, which posed a severe life-safety hazard to the tenants. Additional penalties were issued to the property owner for their continued non-compliance with DOB orders to correct the dangerous conditions.
- \$10,000 in penalties issued to Tracking Number Holder Cornerstone Construction for failure to provide pedestrian protection measures at a construction site at 265 Alexander Avenue, Bronx. The contractor had erected a 40-foot-tall, supported scaffold at the site, without also providing a sidewalk shed or other method protecting the public from potential hazards.
- \$8,750 in total penalties issued to General Contractor JC Consulting & Management for multiple site safety violations at an excavation site at 788 Fairmount Place, Bronx. DOB inspectors on scene found that excavation work had started without the proper notifications to the Department, that the excavation hole was not properly protected with guardrails, and that the site safety plans for the work was not on site at the time of the inspection.
- \$6,250 in penalties issued to PM ANG 1646 LLC, the property owner of 1646 University Place, Bronx, for using the empty lot as an unauthorized parking facility, without a Certificate of Occupancy.
- The owners of 4003 Dyre Avenue, Bronx, were cited for illegally using the property as a commercial machine repair business and dead vehicle storage lot. Prior to a hearing scheduled with OATH, a stipulation was entered into requiring the owners to discontinue the illegal use of the property. A subsequent inspection revealed that the owners were not complying with the signed stipulation, so an Order of Closure was issued, and the property was padlocked. Recently the owners of the property took steps to discontinue the illegal use of the property, and as a result, the Order of Closure was rescinded.



## Brooklyn

- \$25,000 in penalties issued to US Crane & Rigging LLC/SHR Group Inc. after a façade panel that was being installed fell from the 23<sup>rd</sup> floor of a construction site at 1 Eagle Street, Brooklyn, during crane hoisting operations. It was determined by DOB, that the Hoist Machine Operator who was using the crane during the incident had an expired license.
- \$24,250 in total penalties issued to 4913 Inc., the property owners of 4913 7<sup>th</sup> Avenue, Brooklyn, for illegally converting the cellar of a three-story residential building into an illegal gambling hall. DOB inspectors found that the people in the gambling hall were using a propane stove in the cellar which also didn't have adequate egress in the event of an emergency, with the only way in and out being a single Bilco door.
- \$20,000 in total penalties issued to Safety Registrant Star Builders Inc. for multiple site safety violations at a construction site at 23 Weirfield Street, Brooklyn, after the neighboring building's cellar was damaged by concrete operations at the work site. DOB inspectors on site determined that the contractors failed to institute required construction safety measures, failed to provide protection to the neighboring properties, constructed makeshift platforms at the site without approved design drawings, and failed to implement adequate housekeeping procedures.
- \$18,750 in total penalties issued to Tea Factory of USA Inc, the property owners of 171 Stockholm Street, Brooklyn, for multiple violating conditions found at the building. After being alerted to a large crowd on the roof of the building, DOB inspectors were routed to the scene and found that the roof of the building had

been illegally converted into an unpermitted assembly space, with a large party of over 300 people ongoing at the time of our inspection. It was determined that a wooden deck had been illegally constructed on the roof without permits, and that partygoers were using grills on the deck, which had evidence of previous fire damage.

- \$17,500 in total penalties issued to Special Inspector Paul Bailey related to a 2018 fatal construction incident that occurred at 714 39<sup>th</sup> Street, Brooklyn. During the Department's investigation into an excavation collapse that killed a worker, it was determined that Mr. Bailey had failed to note hazardous conditions on his required special inspection reports during multiple visits to the work site.
- \$12,500 in penalties issued to Grand Slam Builders Inc., the property owners of 184 Nassau Avenue, Brooklyn, for failure to maintain proper egress at the three-story building. DOB inspectors determined that the fire escape was blocked by a roll-down gate mechanism in the front of the building, and the exit door in the rear of the building was missing stairs, leading to a significant drop.
- \$10,000 in total penalties issued to Safety Registrant Sunshine Construction for continuing to work at two separate construction sites at 64 Hawthorne Street and 319 Lenox Road, Brooklyn, that were both under active Department-issued Stop Work Orders.
- \$6,250 in penalties issued to 143 Roebling Pref Investor LL, the property owners of 143 Roebling Street, Brooklyn, for failure to maintain the building. DOB inspectors found that a section of the façade parapet wall at the fifth floor of the building had dislodged and fell to the sidewalk below, and the remaining parapet wall was in a state of disrepair.
- \$5,000 in penalties issued to 861 Avenue Z LLC for displaying two illegal business signs in a residential zoning district at 861 Avenue Z, Brooklyn.



## Manhattan

- \$10,000 in penalties issued to Safety Registrant Related Construction LLC for failure to safeguard a construction site at 501 West 35<sup>th</sup> Street. While installing façade panels at the site, and unsecured panel fell from the 35<sup>th</sup> floor of the building and landed on a vehicle parked in the street.
- \$6,250 in total penalties issued to property owners 205-215 Lexington Ave for failure to file required reports with the Department confirming the installation of automatic sprinklers inside of 207 Lexington Avenue and 201 Lexington Avenue.
- \$5,000 in penalties issued to property owners Park Regis Apt Corp Charles H for a zoning violation due to a Privately Owned Public Space (POPS) at 50 East 89th Street, Manhattan, that was found to be improperly maintained per the discretionary zoning agreement. The violating conditions include brick steps in the outdoor plaza that had fallen into disrepair and were creating a hazardous tripping condition.
- \$2,500 in total penalties issued to Turner Construction Company for hanging a prohibited outdoor advertising company sign on the parapet wall of a sidewalk shed in front of 1 Penn Plaza, Manhattan.



## Queens

- \$10,000 in penalties issued to Safety Registrant Frogiero Contracting Inc. for failure to provide pedestrian protection measures at a construction site located at 92-12 101<sup>st</sup> Avenue, Queens. The contractors were performing a major alteration and vertical extension of the existing building without providing a sidewalk shed or other measures to protect the public from potential hazards.

## Construction and Design Professionals

- A Department investigation determined that Professional Engineer Alberto Roman filed multiple professionally certified job applications and Directive 14 final inspection sign-offs with the Department, contrary a 2020 voluntary agreement to surrender these professional privileges to the Department for previous failed audits. Based on these findings, DOB offered a voluntary surrender of all Department filing privileges for a period of four years, as well as the permanent voluntary surrender of his Professional Certification and Directive 14 privileges, which Mr. Roman signed.
- Following the audit of eight professionally certified applications submitted by Professional Engineer Steven D. Williams, the Department found major code non-compliances, including filing Alteration Type 2 applications despite proposing changes in use, egress, and/or occupancy, which require Alteration Type 1 applications for a new or amended Certificate of Occupancy; failure to provide adequate means of egress; failure to provide an automatic sprinkler system; proposing an enlargement that increases the degree of zoning non-compliance;

failure to provide adequate fire-rated construction materials; proposing non-permitted obstructions in Zoning required yards; failure to provide adequate accessibility for person with disabilities; and various other violations of code and rules, including the Zoning Resolution, Building Code, and Administrative Code. Based on the audits, DOB offered a voluntary surrender of their Professional Certification and Directive 14 privileges, which Mr. Williams signed.

- Elevator Director Sandy Santamaria was disciplined for improper elevator maintenance and submitting a false certificate of insurance to the Department of Buildings. Pursuant to a stipulation, Mr. Santamaria's registration was suspended for three months, followed by a probationary period of one year.

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